## THIS OPINION HAS NO PRECEDENTIAL VALUE. IT SHOULD NOT BE CITED OR RELIED ON AS PRECEDENT IN ANY PROCEEDING EXCEPT AS PROVIDED BY RULE 268(d)(2), SCACR.

## THE STATE OF SOUTH CAROLINA In The Court of Appeals

| In The Court of Appears   |
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| Derek S. Carter, Appellant,   |
| v.  |
| South Carolina Department of Probation, Parole and Pardon Services, Respondent.   |
| Appellate Case No. 2015-001162  |
| Appeal From Richland County J. Ernest Kinard, Jr., Circuit Court Judge  |
| Unpublished Opinion No. 2017-UP-024 Submitted October 1, 2016 – Filed January 11, 2017                                    |
| AFFIRMED  |
| Derek S. Carter, pro se.  |
| Tommy Evans, Jr., of the South Carolina Department of Probation, Parole and Pardon Services, of Columbia, for Respondent. |

**PER CURIAM:** Affirmed pursuant to Rule 220(b), SCACR, and the following authorities: *Sea Pines Ass'n for the Prot. of Wildlife, Inc. v. S.C. Dep't of Nat. Res.*, 345 S.C. 594, 600, 550 S.E.2d 287, 291 (2001) ("To have standing, . . . one must be a real party in interest."); *id.* at 601, 550 S.E.2d at 291 ("The party seeking to

establish standing carries the burden of demonstrating each of the three elements [of standing]."); *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560 (1992) (explaining a party lacks standing if he has sustained no concrete, actual injury in fact).<sup>1</sup>

## AFFIRMED.<sup>2</sup>

LOCKEMY, C.J., and KONDUROS and MCDONALD, JJ., concur.

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<sup>&</sup>lt;sup>1</sup> We note as an additional sustaining ground, the circuit court properly dismissed this case because no justiciable controversy existed. See Rule 220(c), SCACR ("The appellate court may affirm any ruling, order, decision or judgment upon any ground . . . appearing in the Record on Appeal."); I'On, L.L.C. v. Town of Mt. Pleasant, 338 S.C. 406, 419, 526 S.E.2d 716, 723 (2000) ("[A] respondent . . . may raise on appeal any additional reasons the appellate court should affirm the [circuit] court's ruling, regardless of whether those reasons have been presented to or ruled on by the [circuit] court."); S.C. Code Ann. § 15-53-20 (2005) ("Courts of record within their respective jurisdictions shall have power to declare rights, status[,] and other legal relations whether or not further relief is or could be claimed."); Sunset Cay, LLC v. City of Folly Beach, 357 S.C. 414, 423, 593 S.E.2d 462, 466 (2004) ("The Declaratory Judgments Act [(the Act)] is a proper vehicle in which to bring a controversy before the court when there is an existing controversy or at least the ripening seeds of a controversy."); S.C. Code Ann. § 15-53-130 (2005) ("[The Act] is to be liberally construed and administered."); Sunset Cay, LLC, 357 S.C. at 423, 593 S.E.2d at 466 ("To state a cause of action under the . . . Act, a party must demonstrate a justiciable controversy."); id. ("A justiciable controversy is a real and substantial controversy [that] is appropriate for judicial determination, as distinguished from a dispute or difference of a contingent, hypothetical[,] or abstract character." (quoting *Power v. McNair*, 255 S.C. 150, 154, 177 S.E.2d 551, 553 (1970)).

<sup>&</sup>lt;sup>2</sup> We decide this case without oral argument pursuant to Rule 215, SCACR.